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3 WILLIAM CARRICO  
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8 Attorneys for Ryan W. Payne

9 UNITED STATES DISTRICT COURT  
10 DISTRICT OF NEVADA

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12 UNITED STATES OF AMERICA, )  
13 )  
Plaintiff, )  
14 )  
vs. )  
15 )  
RYAN W. PAYNE, )  
16 )  
Defendant. )  
17 )

2:16-cr-046-GMN-PAL

**EMERGENCY MOTION FOR**  
**HEARING ON STATUS OF PENDING**  
**MATTERS (ECF NOS. 291, 331, 442)**

18 **Certification:** This Motion is timely filed.

19 Defendant RYAN W. PAYNE, through his counsel, SHARI L. KAUFMAN,  
20 WILLIAM CARRICO, and RYAN NORWOOD, Assistant Federal Public Defenders, moves for  
21 a hearing to address the status of certain critical matters pending before this Court. The attached  
22 Memorandum of Points and Authorities is submitted in support of this request.  
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24

1 DATED this 22<sup>nd</sup> day of June, 2016.

2 RENE VALLADARES  
3 Federal Public Defender

4 By: /s/ Shari L. Kaufman  
5 SHARI L. KAUFMAN  
6 Assistant Federal Public Defender

7 By: /s/ William Carrico  
8 WILLIAM CARRICO  
9 Assistant Federal Public Defender

10 By: /s/ Ryan Norwood  
11 RYAN NORWOOD  
12 Assistant Federal Public Defender  
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**Memorandum of Points and Authorities**

Defendant Ryan Payne and 18 co-defendants are charged in a 16-count superseding indictment that includes four forfeiture allegations. ECF No. 27. The charges stem from an alleged standoff with law enforcement agents near Bunkerville, Nevada in April 2014. *Id.* This case is scheduled for trial in February of 2017. ECF No. 321, pp. 12-13. The pretrial motion deadline is October 3, 2016. ECF No. 321, p. 13.

The following matters, among numerous others, are fully briefed and currently awaiting decision from this Court:

- Defendant Ryan W. Payne’s Motion to Dismiss, ECF No. 291  
Government’s Response in Opposition, ECF No. 383  
Defendant Ryan W. Payne’s Reply in Support of Motion to Dismiss, ECF No. 418
- Memorandum Opposing Entry of Protective Order, ECF No. 331
- Defendant Ryan W. Payne’s Motion to Compel Electronic Access to Legal Materials and the Ability to Communicate Telephonically with Defense Counsel in a Confidential Manner, ECF No. 442  
Government’s Response to Defendant Ryan Payne’s Motion to Compel Electronic Access to Legal Materials, ECF No. 517  
Reply to Government’s Response to Defendant’s Motion to Compel Electronic Access to Legal Material, ECF No. 517

These pending matters must be resolved so that Mr. Payne can have meaningful contact with his Nevada defense team and begin reviewing the voluminous discovery in this case, the necessary precursors to the defense team’s timely preparation of pretrial motions and development of a trial defense. A status hearing would aid in resolving the issues raised. Indeed, when responding to Mr. Payne’s request for access to discovery and to his defense counsel in the Nevada case, the government agreed that “this matter is best resolved in a pretrial conference with

1 the Court (as opposed to Motion).”<sup>1</sup> ECF No. 517, p. 2. Mr. Payne thus requests this Court hold  
2 a status hearing on the above identified matters at the Court’s earliest convenience.

3 Dated this 22<sup>nd</sup> day of June, 2016.

4 Respectfully Submitted,

5 RENE VALLADARES  
6 Federal Public Defender

7 By: /s/ Shari L. Kaufman  
8 SHARI L. KAUFMAN  
Assistant Federal Public Defender

9 By: /s/ William Carrico  
10 WILLIAM CARRICO  
Assistant Federal Public Defender

11 By: /s/ Ryan Norwood  
12 RYAN NORWOOD  
Assistant Federal Public Defender

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<sup>1</sup> The government also stated it “does not, at this time, take a position on the relief requested  
in the Motion or the basis upon which it is sought.” ECF No. 517, p. 2.

**CERTIFICATE OF ELECTRONIC SERVICE**

The undersigned hereby certifies that he is an employee of the Federal Public Defender for the District of Nevada and is a person of such age and discretion as to be competent to serve papers.

That on June 22, 2016, he served an electronic copy of the above and foregoing **EMERGENCY MOTION FOR HEARING ON STATUS OF PENDING MOTIONS** by electronic service (ECF) to the person named below:

DANIEL G. BOGDEN  
United States Attorney  
ERIN M. CREEGAN  
Assistant United States Attorney  
NADIA JANJUA AHMEN  
Assistant United States Attorney  
NICHOLAS DICKINSON  
Assistant United States Attorney  
STEVEN MYHRE  
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/s/ Brandon Thomas

Employee of the Federal Public Defender